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FOR IMMEDIATE RELEASE
JANUARY 6, 2003

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**U.S. CHARGES OPHTHALMOLOGIST WITH BILLING FOR UNNEEDED
AND ILLUSORY PROCEDURES PERFORMED ON ADULT HOME RESIDENTS**

JAMES B. COMEY, the United States Attorney for the Southern District of New York, and KEVIN P. DONOVAN, the Assistant Director In Charge of the New York Field Office of the FBI, announced today that Dr. SHAUL DEBBI, an ophthalmologist, was charged with 23 new counts of Medicare and Medicaid fraud and separately with making false claims to Medicare.

On June 24, 2002, the defendant was previously charged in a one-count Indictment charging him with health care fraud. Debbi was previously charged in a criminal Complaint with healthcare fraud for performing unnecessary cataract surgery.

According to the Complaint and Superseding Indictment, a significant portion of DEBBI's practice consisted of treating patients in institutionalized settings, including nursing homes and adult homes. These adult homes are long-term residential

facilities whose residents suffer from various disabilities, including various mental and emotional disabilities. According to the Superseding Indictment, DEBBI, conducted two illegal schemes to defraud Medicare and two illegal schemes to defraud Medicaid. Medicare is a federal health insurance program that provides medical benefits to persons 65 or older and certain persons with disabilities. Medicaid is a United States government program that provides medical assistance to qualifying indigent persons. In New York State, the Medicaid program is funded both by the federal government and the State of New York.

According to the Superseding Indictment, from 1998 through 2001, DEBBI submitted false and misleading claims to Medicare and Medicaid for ophthalmological services he purportedly provided to residents of adult homes. In addition, from the summer of 2000 through 2001 DEBBI arranged for a physician's assistant he employed to examine residents in Adult Homes without him being present. DEBBI subsequently submitted false and misleading claims to Medicare and Medicaid for ophthalmological services the physician's assistant purportedly provided to Adult Homes residents.

As charged in the Superseding Indictment, DEBBI's claims were false and fraudulent because DEBBI: (1) billed for medically unnecessary exams and procedures; (2) billed for procedures which were never performed; (3) billed for routine eye

exams that were not reimbursable; (4) billed as though the services were provided in DEBBI's home office when they were not; (5) provided false diagnostic codes; and (6) billed as though DEBBI provided the services when he did not.

Mr. COMEY stated: "Doctors who exploit patients with disabilities solely to satisfy their own greed through Medicare and Medicaid fraud will be vigorously prosecuted."

Dr. DEBBI is a 48-year old Israeli and American citizen who resides in Great Neck, New York.

If convicted, the defendant faces a maximum sentence of 10 years in prison on each of the health care fraud charges and five years in prison on each of the false statements relating to health care matters charges. The defendant also faces a maximum fine of the greater of \$250,000 or twice the gross gain or loss resulting from the crime on each count.

Mr. COMEY praised the investigative efforts of the FBI and the assistance of the Office of Professional Medical Conduct of the New York State Department of Health.

Mr. COMEY said the investigation is continuing.

Assistant United States Attorneys MARCIA COHEN and PAUL B. RADVANY are in charge of the prosecution.

The charges contained in the Superseding Indictment and the Complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

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